

## REMARKS

Claims 15-17 and 22-26 are pending in this application, claim 18 having been currently cancelled and claims 1-14 and 19-21 having been previously cancelled. Claims 15, 24 and 26 have been amended. Claims 15-17 and 22-26 are presented for reconsideration.

Claims 15-18 and 22-26 are objected to, the examiner asserting that the proviso in claim 15 is unnecessary. Responsive thereto applicants propose to cancel said proviso.

Applicants also propose to amend their claims in order to more particularly point out and distinctly claim a preferred aspect of their invention. Thus, applicants propose to incorporate the limitations of page 4 (4<sup>th</sup> paragraph) and page 22 (2<sup>nd</sup> paragraph) of the description as originally filed into present claim 15 (definitions of R<sub>2</sub> and R<sub>3</sub>). Since claim 18 fails to further limit amended claim 1, applicants propose to cancel it. Additionally also propose to make minor editorial changes to claim 24 and the last line of claim 26. No new matter will be added by any of these changes.

Claims 15-18, 22 and 24-26 are finally rejected under 35 U.S.C. § 103(a) as being unpatentable over Reichert et al., U.S. Patent No. 5,989,297. Reconsideration of said rejection is requested in light of the amendment *supra* and the following remarks.

Applicants respectfully note that the instantly claimed dyes of formula (1) are distinguished from the prior art dyes of Examples 4r and 4s (columns 25 and 26) or Examples 25 and 26 (columns 43 and 44) by both the bridging member B and the radical R<sub>3</sub>.

From applicants' perspective, Reichert et al. would not have directed one of ordinary skill in the art to prepare the inventive dyes, which are trisreactive, i.e. which contain two fibre reactive triazine groups and one fibre reactive radical T. The instantly claimed dyes are also distinguished by the bridging group of formula -N(R<sub>2</sub>)-B-N(R<sub>3</sub>)- as defined in instantly amended claim 15. Thus applicants aver that one of ordinary skill in the art would not have been motivated to prepare the claimed dyestuffs, i.e. to introduce the distinctive features in order to obtain dyes which are in particular suitable for printing applications on cotton.

In this respect, the examiner's attention is respectfully directed to the fact that, aside from the above-mentioned specific dyestuffs, no further dyes are exemplified in the prior art document which

contain a fibre reactive radical T. It also has to be noted that the prior art dyes of Examples 4r and 4s (columns 25 and 26) and Examples 25 and 26 (columns 43 and 44) are essentially identical.

In order to hasten the prosecution of the present application, applicants have enclosed a declaration from G. Roentgen, an expert in the field of dyestuffs. The subject matter of the declaration is a comparative test, wherein the dye of example 4r of Reichert et al. is compared to the inventive dyestuff of closest structural similarity. The inventive dyestuff is distinguished by the bridging member B and the radical  $R_3$ . The dyes were investigated as to their build-up properties in a printing application on cotton. Furthermore, the printed cotton specimens obtained were investigated side by side as to their washing-off properties as well as to their color fastness to water.

On the one hand, the declaration demonstrates that inventive dyestuff A builds up more strongly. Advantageously, less of the inventive dyestuff is required to prepare a print with a certain tinctorial strength. In order to adjust to a standard tinctorial strength of 1.0 BZT, for example, 2.06 parts of inventive dyestuff A are required, whereas 2.23 parts of dyestuff B are required to achieve the same tinctorial strength. On the other hand, inventive dyestuff A is superior as to its washing-off properties, i.e. less dyestuff is washed off from the printed cotton specimen. Washing-off properties were investigated by the degree of staining of a plain area of the printed specimen. Furthermore, color fastness to water is improved, as is demonstrated in the declaration by the amount of staining of an undyed cotton specimen according to a standardized procedure.

The advantages in the printing application can be attributed to the distinctive features of the inventive dyestuff, i.e. the bridging member B and the radical  $R_3$ . The inventive dyes are superior to the prior art dyes for both economic and ecological reasons, i.e. less inventive dyestuff is required to achieve the same dyeing effect, and less dyestuff is released into water when fabrics printed with the inventive dyes are washed.

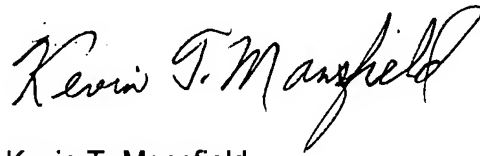
The dye expert points out that these advantages are important features for the textile industry and an improvement in these properties is of considerable commercial importance. Moreover, the dye expert declares that the improvements attainable with respect to build-up capacity, washing-off properties and fastness to water could not be foreseen and that the results of the tests were surprising to him.

Reconsideration and withdrawal of the rejection of claims 15-17, 22 and 24-26 is respectfully solicited in light of the remarks *supra*.

Since there are no other grounds of objection or rejection, passage of this application to issue with claims 15-17 and 22-26 is earnestly solicited.

Applicants submit that the present application is in condition for allowance. In the event that minor amendments will further prosecution, Applicants request that the examiner contact the undersigned representative.

Respectfully submitted,

A handwritten signature in black ink that reads "Kevin T. Mansfield". The signature is written in a cursive, flowing style.

Ciba Specialty Chemicals Corporation  
540 White Plains Road  
Tarrytown, New York 10591  
(914) 785-7127  
KTM22221DA2

Kevin T. Mansfield  
Agent for Applicants  
Reg. No. 31,635

Enclosure: Declaration

MAR 9 2005